

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	}	
	}	
Petition for a Certificate of Public Convenience	}	
and Necessity, pursuant to Section 8-406.1 of	}	
the Illinois Public Utilities Act, and an Order	}	
pursuant to Section 8-503 of the Public Utilities	}	Case No.: 12-0598
Act, to Construct, Operate and Maintain a New	}	
High Voltage Electric Service Line and Related	}	
Facilities in the Counties of Adams, Brown, Cass,	}	
Champaign, Christian, Clark, Coles, Edgar,	}	
Fulton, Macon, Montgomery, Morgan, Moultrie,	}	
Pike, Sangamon, Schuyler, Scott, and Shelby,	}	
Illinois.	}	

**DIRECT TESTIMONY ON REHEARING
OF
GARRY NIEMEYER**

Intervenor MSSCLPG Exhibit 7.0

1 **DIRECT TESTIMONY ON REHEARING OF GARRY NIEMEYER**

2 **Q. PLEASE STATE YOUR NAME AND CURRENT RESIDENTIAL ADDRESS.**

3 A. Garry L. Niemeyer. 8370 Auburn Road, Auburn, Illinois 62615.

4 **Q. WITH REFERENCE TO WHAT HAS BEEN MARKED INTERVENOR MSSCLPG**
5 **EXHIBIT 7.1, IS THIS A TRUE AND CORRECT COPY OF YOUR RESUME?**

6 A. Yes, it is.

7 **Q. WHAT IS YOUR BUSINESS OCCUPATION?**

8 A. I am a farmer. I farm approximately 2100 acres.

9 **Q. ARE YOU FAMILIAR WITH THE PROCEEDING IN WHICH YOU ARE**
10 **SUBMITTING THIS TESTIMONY?**

11 A. Yes, I am. I became aware of the case about eighteen months ago, but at that time it was
12 indicated to me that any land that I owned and farmed was along an alternate route with very
13 little likelihood of approval.

14 **Q. WOULD ALL OF YOUR LAND BE AFFECTED IF APPROVAL WERE GRANTED**
15 **TO THE ATXI REBUTTAL RECOMMENDED ROUTE?**

16 A. No. I am concerned about a 47 acre plot that I purchased in approximately 1989 for the
17 purpose of farming until I retire. I would then like to develop the property into a subdivision.

18 **Q. PLEASE DESCRIBE WHERE THE 47 ACRE PLOT MENTIONED ABOVE IS**
19 **LOCATED.**

20 A. It is located along Route 4. It is between Thayer, Illinois, and Virden, Illinois. It is about one
21 fourth of a mile from Thayer and one mile from Virden.

22 **Q. WITH REGARD TO THE 47 ACRE PLOT MENTIONED ABOVE, DO ANY**

23 **DEVELOPMENTS EXIST IN ITS IMMEDIATE VICINITY?**

24 A. Yes, they do. Prairie Station Subdivision adjoins my property immediately to the south.
25 There is a subdivision immediately across the road from my property. There are several
26 homes along the north and east sides of my property. I should also mention that there is a
27 church and a day school along the south side of my property.

28 **Q. HAVE YOU ATTEMPTED TO DETERMINE WHERE THE NEW POWER LINE**
29 **WOULD GO WITH REFERENCE TO THE 47 ACRE PLOT DESCRIBED ABOVE?**

30 A. Yes, I have. It appears that any structures would have to be placed in the middle of my
31 property if ATXI is attempting to avoid churches, day schools, and existing homes.

32 **Q. IN YOUR OPINION, WOULD THE PLACEMENT OF THE PROPOSED 345 kV**
33 **LINE HAVE AN ADVERSE EFFECT NOT ONLY UPON THE IMMEDIATE**
34 **VALUE OF THE 47 ACRE PLOT DESCRIBED ABOVE, BUT ALSO AS TO ITS**
35 **FUTURE USE?**

36 A. Yes, it definitely would. No matter where the lines are placed, they will devalue my
37 property. This is true whether the property is being used as I had planned for a subdivision,
38 or even if I continue to farm the land, which I would probably be required to do because the
39 placement of any poles in the vicinity of my property will preclude its use as a residential
40 subdivision.

41 **Q. YOU MENTION THAT THE PLACEMENT OF LINES UPON OR IN THE**
42 **VICINITY OF YOUR PROPERTY WILL PRECLUDE ITS USE AS A**
43 **RESIDENTIAL SUBDIVISION. PLEASE ELABORATE.**

44 A. I would find it hard to believe that anyone would knowingly construct new homes in the

vicinity of a 345 kV transmission line.

Q. DO YOU BELIEVE THAT THE PLACEMENT OF LINES UPON OR IN THE VICINITY OF YOUR PROPERTY WILL AFFECT FUTURE FARMING OPERATIONS AND THE VALUE OF THE LAND?

A. Yes, I do. The placement of the lines will preclude modern farming techniques. This includes everything from planting to harvesting, to the application of fertilizers and other farm chemicals. In many instances, insecticides and pesticides are best applied by aerial application. These lines will preclude such application. I would also mention that modern farming techniques incorporate precise application of fertilizer. I am advised that the equipment utilized for such precise application uses GPS technology which can be disrupted by high voltage lines. This precise application of fertilizer, only applying fertilizer as is most beneficial, saves money for the farmer. Equally as important, it helps preserve the environment by minimizing water pollution not only in the vicinity of the land in question, but also downstream as well, including not only the Illinois River, but the Mississippi River and its confluence into the Gulf of Mexico.

Q. HAVE YOU HAD ANY EXPERIENCE IN THE PAST WITH OTHER UTILITY COMPANIES?

A. Yes, I have. Five years ago, a pipeline company requested to place a 42 inch natural gas pipeline across certain of the acreage that I farm. I was led to believe that if I cooperated with the company, I would be taken care of. This involved three farms. The pipeline company assured me that it would make me whole; that it would compensate me not only for the use of my land while the pipeline was being installed, but also for the lost crops, and

67 they would even come back and make any repairs as necessary in the future. In the past three
68 years I have had extreme difficulty in getting necessary repairs made to damaged tile on the
69 three farms. I just found out that the company making the repairs and which had installed
70 the pipeline has gone out of business. I was paid for crop damages following the installation
71 of the pipeline, but that was certainly not adequate. Five years after the installation of the
72 pipeline, the acreage in question is still not up to the level of production that I enjoyed prior
73 to the installation of the pipeline. Soil compaction is a very big problem. Although I am
74 only at year five, the more I look at the matter the more it appears that it will be at least ten
75 years before the land returns to full production. Also, the pipeline as initially installed had
76 to be repaired, once again causing further loss of crops for a second year, for which I did not
77 receive any compensation whatsoever. After all is said and done, there is simply no way to
78 predict the immediate and future damages to a farmer if a utility company installs structures
79 upon, below, or above the farmland in question.

80 **Q. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD?**

81 A. Yes. It is well known in this area that the Rebuttal Recommended Route, at least in the area
82 where it would be in the vicinity of Route 104, is a known wind corridor. There is an
83 existing distribution line in this area that has been blown down at least on several occasions
84 in recent memory. I would also like to add that there is an existing 138 kV line which
85 originates in Meredosia, Illinois, and terminates in Pawnee, Illinois. I have a general
86 familiarity with this line and have become more familiar with the same as a result of this
87 case. I have been advised, and have no reason to doubt, that the 345 kV line, if placed along
88 the existing 138 kV line corridor, would be approximately 18 miles shorter than the Rebuttal

89 Recommended Route. I am likewise advised, and have no reason to doubt, that the initial
90 construction costs of the 345 kV line, if placed along the existing 138 kV line corridor,
91 would be more than \$36 million less than the Rebuttal Recommended Route. I believe that
92 these are real considerations and that they speak for themselves. I would also encourage
93 anyone to review the 138 kV line corridor. This line has been in existence for many years.
94 You can definitely observe that people in the vicinity have governed their actions
95 accordingly. I mentioned above the subdivision surrounding my 47 acre plot. I see no reason
96 to construct new power lines in an area where there exist no power lines when there is a
97 viable alternative. In this case, there certainly exists a viable alternative and I would simply
98 request that the Commission enter an order that would adopt the use of the existing 138 kV
99 line corridor (MSCLTF Route).

100 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

101 A. Yes, it does.